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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,362	09/08/2003	Michael A. Killian	02 P 15176 US / INTECH 3.	9502
48154	7590	03/23/2005	EXAMINER NGUYEN, MINH T	
SLATER & MATSIL LLP 17950 PRESTON ROAD SUITE 1000 DALLAS, TX 75252			ART UNIT 2816	PAPER NUMBER

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/657,362

Applicant(s)

KILLIAN ET AL.

Examiner

Minh Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Applicant's amendment filed on 12/10/04 has been received and entered in the case. Claims 1-37 are pending. The amendment and declaration 37 CFR 1.131 presented therein overcome the informality objections and prior art rejections, therefore, these are withdrawn. In view of a newly discovered prior art, new grounds of rejections are needed as set forth below. This action is NON-FINAL.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-37 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 6,384,666, issued to Bertin et al.

As per claim 25, Bertin discloses a circuit (Figs. 1), comprising:

a device (the latch comprises two inverters connected in antiparallel configuration, 17 is the first inverter, FETs 21-23 is the second inverter) operable to remain in one of at least a first state and a second state (this is merely the operation of any latch);

a first input (NFET 18) operable to receive a first signal (STROBE) which sets said device in said first state (NFET 18 ON, node 16 has the voltage of node 19, GND, column 3,

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lines 60-65) when a fuse is in a first condition (unprogrammed, fuse 11 is unblown) and keeps a state of said device unchanged (the voltage at node 16 is unchanged, column 4, lines 1-5) when said fuse is in a second condition (programmed, fuse 11 is blown); and

a second input (PFET 14) operable to receive a second signal (PRECHARGE), while said first signal is being supplied to said first input (STROBE is HIGH, NFET 18 is still ON), that keeps said device in said first state (since NFET 18 is still ON) when said fuse is in said first condition (unprogrammed, fuse 11 unblown) and sets said device in said second state (VINT at node 16) when said fuse is in said second condition (programmed, fuse 11 is blown).

As per claim 26, the recited limitation is clearly discussed in claim 25.

As per claim 27, the latch circuit discussed in claim 25 clearly meets the recited limitation, the common input and output terminals read on nodes 16 and 20, respectively.

As per claim 28, the recited first input reads on the NFET 18 connected as recited, the strobe line is seen as line 13.

As per claim 29, the recited second input reads on the PFET 14 having the source connected to VINT, drain coupled to the fuse 11 through NFET 18, and the precharge-line PRECHARGE is seen as line 12 coupled to the gate of PFET 14.

As per claim 30, the recitation is clearly discussed in claim 25.

As per claims 31-32, the recited limitations are discussed in claim 25.

As per claim 33, this claim is merely a combination of claims 25 and 27-29, and therefore, is rejected for the reasons discussed in these claims. Note that the word “coupled” means it is electrically connected.

As per claims 34-37, these claims are rejected for the reasons noted in claims 26 and 30-32, respectively.

As per claims 1-6, these claims are merely methods to operate a circuit having the structure discussed in claim 25. Since Bertin teaches the circuit, the method to operate such a circuit is seen as inherently disclosed.

As per claims 7-12, these claims are rejected for the same reasons noted in claims 1-6, respectively.

As per claims 13-18, these claims are rejected for the same reasons noted in claims 1-6, respectively. Further, the recited structure is referred to claim 33 discussed above.

As per claims 19-24, these claims are rejected for the same reasons noted in claims 1-6, respectively. Further, the recited structure is referred to claim 33 discussed above.

### ***Response to Arguments***

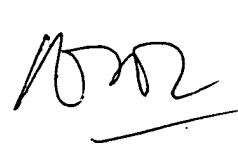
3. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Nguyen whose telephone number is 571-272-1748. The examiner can normally be reached on Monday, Tuesday, Thursday, Friday 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



3/18/05

Minh Nguyen  
Primary Examiner  
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